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10/580,754

08/13/2008

Wilfried Hackenbroich

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EXAMINER

CHEN, SHIH CHAO

ART UNIT

PAPER NUMBER

2821

MAIL DATE

DELIVERY MODE

03/24/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/580,754 | Applicant(s) HACKENBROICH ET AL. | |
| | Examiner Shih-Chao Chen | Art Unit 2821 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>5/26/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 05/26/2006 has been considered by the examiner.

Drawings

3. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 12-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 12 and 24 recite the limitation "the wireless device" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2821

7. Claim 12 recites the limitation "the frame or housing" in line 4. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 32 recites the limitation "the frame or housing" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

9. Claims 14 and 26 are objected to because of the following informalities: in line 2, "stipline" should be changed to --stripline--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 12-16, 20, 23-27, 31 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Hofmann (U.S. Patent No. 6,229,490).

Regarding claim 12, Hofmann teaches in figures 1-6 an antenna coupler [100] for testing of wireless devices, the coupler comprising: an antenna element [6, 7] for wireless communication with the wireless device [10] and an accommodating element [23] for holding the wireless device, wherein the accommodating element can be adjustably fastened to the frame or housing [20] of the antenna coupler in various positions relative to the antenna element.

Regarding claim 13, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 12, wherein the antenna element [6, 7] comprises a planar antenna.

Regarding claim 14, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 13 wherein the planar antenna [6, 7] is formed using stripline technology (See Abstract).

Regarding claim 15, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 12 wherein the accommodating element [23] can be displaced parallel relative to the planar antenna [6, 7].

Regarding claim 16, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 12, wherein the accommodating element [23] is adjustably fastened to the frame or housing [20] of the antenna coupler [100] by a plug-in mechanism, wherein various plug-in positions are provided which correspond to the various locations on the frame or housing.

Regarding claim 20, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 12, wherein the various positions yield an at least two-dimensional relative displacement between the accommodating element [23] and the antenna element [6, 7].

Regarding claim 23, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 12, wherein the accommodating element [23] comprises a universal mobile phone holder (See claim 17).

Regarding claim 24, Hofmann teaches in figures 1-6 an antenna coupler [100] for testing of wireless devices, the coupler comprising an antenna element [6, 7] for wireless communication with the wireless device [10] and an accommodating element

Art Unit: 2821

[23] for holding the wireless device, wherein the antenna element can be releasably fastened to the accommodating element in various positions.

Regarding claim 25, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 24 wherein the antenna element [6, 7] comprises a planar antenna.

Regarding claim 26, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 25 wherein the planar antenna [6, 7] is formed using stripline technology (See Abstract).

Regarding claim 27, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 24 wherein the planar antenna [6, 7] can be displaced parallel relative to the accommodating element [23].

Regarding claim 31, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 24, wherein the various positions yield an at least two-dimensional relative displacement between the accommodating element [23] and the antenna element [6, 7].

Regarding claim 34, Hofmann teaches in figures 1-6 the antenna coupler as claimed in Claim 24, wherein the accommodating element [23] comprises a universal mobile phone holder (See claim 17).

Allowable Subject Matter

12. Claims 17-19, 21-22, 28-30 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2821

13. Claim 32 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-Chao Chen whose telephone number is (571) 272-1819. The examiner can normally be reached on Monday-Thursday from 7 AM to 5:30 PM, Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Owens can be reached on (571) 272-1662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shih-Chao Chen

Application/Control Number: 10/580,754
Art Unit: 2821

Page 7

Primary Examiner
Art Unit 2821

SXC
March 21, 2010
/Shih-Chao Chen/
Primary Examiner, Art Unit 2821